

SECOND AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 16 1977
Returned to applicant for correction JUL 22 1977
Corrected application filed AUG 12 1977
Map filed AUG 12 1977 under 31718

The applicant Julian Tomera Ranches, Inc.
c/o Chilton Engineering 421 Court, of Elko
Street and No. or P.O. Box No. City or Town
Nevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

December 27, 1965 Nevada

1. The source of the proposed appropriation is Bench Canyon Well
Name of stream, lake or other source.
2. The amount of water applied for is 0.5 cfs second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for Stockwater
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated)
(b) Stockwater (state number and kinds of animals to be watered) 1,000 head cattle
(c) Other use (describe fully under "No. 12. Remarks")
(d) Power:
(1) Horsepower developed
(2) Point of return of water to stream
5. The water is to be diverted from its source at the following point: SW1/4 SW1/4 Section 10, T.32N.,
R.55E., MDBM, at a point from which the SW corner of said Section 10 bears
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
S. 16° 08' W. 560 feet
It should be stated.
6. Place of use SW1/4 SW1/4, Section 10, T.32N., R.55E., MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well equipped with
deep well turbine and pipeline to 1400 gallon stock tank.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$10,000.00
10. Estimated time required to construct works 1 year
11. Estimated time required to complete the application to beneficial use 5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be commingled with other rights of the applicant. Send
copies of all correspondence and notices to Julian Tomera Ranches, Inc.
via Waysack Elko, Nevada 89801.

Applicant Julian Tomera Ranches, Inc.

By s/William A. Nisbet

Agent

Compared bl/ga

bl/ga

421 Court

Elko, Nevada 89801

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0312 cubic feet per second, or sufficient water to water 1000 head of cattle.

Actual construction work shall begin on or before August 10, 1978

Proof of commencement of work shall be filed before September 10, 1978

Work must be prosecuted with reasonable diligence and be completed on or before August 10, 1979

Proof of completion of work shall be filed before September 10, 1979

Application of water to beneficial use shall be made on or before August 10, 1980

Proof of the application of water to beneficial use shall be filed on or before September 10, 1980

Map in support of proof of beneficial use shall be filed on or before _____

Commencement of work filed OCT 3 1978

Completion of work filed SEP 27 1979

Proof of beneficial use filed SEP 15 1980

Cultural map filed _____

Certificate No. 10687 Issued JUN 21 1983

Recorded Bk 36 Page _____

County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 10th day of February

A.D. 19 78

State Engineer